

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

2006 JUL 21 PM 4: 27

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CAROLINE P. AYRES

Appellant,

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) No. 06-000338 SLR  
) On Appeal from Bankruptcy  
Case No. 05-20034  
)  
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MOTION FOR EMERGENCY HEARING

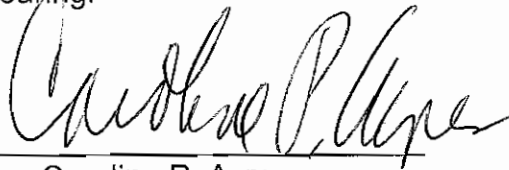
COMES NOW the Appellant, Caroline P. Ayres, and hereby moves, for an emergency hearing regarding her Motion to Stay and for Sanctions. As grounds, Appellant states the following:

1. On or about July 21, 2006, Appellant filed a Motion to Stay Sheriff's Sale and For Sanctions with this Honorable Court.
2. Unless the above-mentioned Motions are heard by this Court before the August 8, 2006 Scheduled Sheriff's Sale ( Exhibit"A") regarding the Property which forms the subject matter of this appeal, Appellant's Appeal would be rendered moot.
3. This Court has "inherent power ...to preserve the status quo, where, in its sound discretion, the Court deems the circumstances justify". See Fed.R.Civ. P. 62 ( c).

4. In order to preserve the status quo in the present case, a stay of the Sheriff's sale must be granted , or Appellant will be irreparably harmed by the illegal sale of her property.
5. As additional grounds, Appellant incorporates by reference her Motion to Stay Sheriff's Sale, In The Alternative, To Remand Case Back To Delaware Superior Court; and Debtor's Motion to Vacate, In the Alternative, To Modify the April 28, 2006 Modification of Relief From Stay Order and to Request An Accounting, filed with the U.S. Bankruptcy Court on or about May 11, 2006.

WHEREFORE, Appellant respectfully requests that the Court grant her Motion for an Emergency Hearing.

Dated: July 21, 2006



Caroline P. Ayres  
P.O. Box 85  
Wilmington, DE 19899

IN THE UNITED STATES BANKRUPTCY COURT  
IN AND FOR THE DISTRICT OF DELAWARE

IN RE: CAROLINE P. AYRES

Petitioner,

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No. 05-2003 (JKF)

ORDER

AND NOW, TO WIT, this \_\_\_\_\_ day of \_\_\_\_\_, A.D.,  
2006, the foregoing Motion for An Emergency Hearing having been heard and  
considered, it is hereby:

ORDERED, that a hearing shall be scheduled for \_\_\_\_\_, 2006.

\_\_\_\_\_  
Judge

CERTIFICATE OF SERVICE

I, Caroline P. Ayres, Debtor, do hereby certify that I have caused to be mailed copies of the attached Motion for Emergency Hearing regarding Motion to Stay Sheriff's Sale and for Sanctions on July 21, 2006 to the below-mentioned person(s):

John R. Weaver, Jr.  
P.O. Box 510  
914 Walnut Street  
Wilmington, DE 19899

Michael Joseph, Esquire  
Chapter 13 Trustee  
824 North Market Street  
Suite 904  
P.O. Box 1351  
Wilmington, Delaware 19899

Dated: July 21, 2006

A handwritten signature in black ink, appearing to read 'Caroline P. Ayres', is written over a horizontal line.

Caroline P. Ayres  
1 Gwynedd Lane  
Hockessin, DE 19707

**REAL ESTATE SALES**

HELD

SECOND TUESDAY OF EVERY MONTH  
800 N. FRENCH STREET

10 AM SHARP - OPEN PUBLIC BIDDING - IF YOU INTEND TO BID YOU MUST HAVE A VALID ID (DRIVERS LICENSE) AND BE PREPARED TO PAY REQUIRED AMOUNT IMMEDIATELY FOLLOWING YOUR BID (YOU CANNOT LEAVE THE AUCTION WITHOUT PAYING)  
CASH/PERSONAL CHECKS WRITTEN ON OPEN/ESTABLISHED ACCOUNTS ARE ACCEPTED AT SALE WITH VALID ID (NO STARTER CHECKS)

**ATTENTION!!**

THE AUCTION WILL BE HELD AT 10A.M. SHARP IN THE CITY/COUNTY CHAMBERS AT 800 N. FRENCH STREET (NOT A COURT HOUSE)  
THE ROOM CAPACITY IS 152 PEOPLE - GET THERE EARLY

**PROPERTIES**

POSTED ON FORECLOSED PROPERTY, PUBLIC BUILDINGS PRIOR TO SALE  
ADVERTISED IN THE NEWS JOURNAL NEWSPAPER THE TWO THURSDAYS PRECEDING SALE DATE

COUNTY WEBSITE: [WWW.NCCDE.ORG](http://WWW.NCCDE.ORG)

**RISKS TO BIDDERS****TAX SALES (VEM)**

ENTIRE BID PRICE (100%) IS DUE ON DATE OF SALE (DURING THE AUCTION)  
YOUR BID DOES NOT NECESSARILY WIPE AWAY OTHER DEBTS ON THE PROPERTY.  
YOU MUST RESEARCH THE PROPERTY AT THE RECORDER OF DEEDS OFFICE, LOCATED AT 800 N. FRENCH STREET 302-395-7700

**MORTGAGE SALES (LEV FAC) AND JUDGEMENTS (VEND EX)**

10% OF YOUR BID IS DUE THE DAY OF THE SALE (DURING THE AUCTION) WITH THE BALANCE DUE ON THE FIRST MONDAY OF THE MONTH FOLLOWING THE SALE. THE 90% BALANCE OF YOUR BID MUST BE PAID WITH A CASHIERS/CERTIFIED CHECK.  
FAILURE TO PAY BALANCE OF BID AS REQUIRED WILL RESULT IN FORFEITURE OF THE 10% DEPOSIT.

YOUR BID DOES NOT NECESSARILY NEGATE OTHER DEBTS ON THE PROPERTY.

YOU MUST RESEARCH THE PROPERTY AT THE RECORDER OF DEEDS OFFICE, LOCATED AT 800 N. FRENCH STREET. 302-395-7700

**SALE DEPOSITS ARE NON-REFUNDABLE**

**YOU ARE RESPONSIBLE**

ALL SALES CAN BE STOPPED (STAYED) UNTIL 10AM ON SALE DAY. THOSE RECEIVED AFTER 9AM WILL BE ANNOUNCED BY THE AUCTIONEER.

ALL PROPERTIES ARE PURCHASED AS - IS, SIGHT UNSEEN.  
YOUR BIDS MAKE YOU RESPONSIBLE FOR POSSIBLE LIENS.

TENANTS/OWNERS OF PROPERTIES ARE NOT AUTOMATICALLY EVICTED FROM SHERIFF SALE PROPERTIES.  
CONFIRMATION OF SALES OCCURS THE FRIDAY AFTER THE FIRST MONDAY OF MONTH AFTER THE SALE.  
PETITION FOR NO ATTEMPT AT REDEMPTION OF A TAX SALE IS FILED BY HIGH BIDDER AFTER EXPIRATION OF THE REDEMPTION PERIOD (60 DAYS FROM CONFIRMATION DATE).

CHANGE OF OWNERSHIP OF THE PROPERTIES DOES NOT OCCUR UNTIL DEED IS RECORDED.

FOR FURTHER INFORMATION PLEASE CALL THE SHERIFF'S OFFICE AT 302-395-8450.

**REPRODUCTION OF THIS LIST OUTSIDE OF THE SHERIFF'S OFFICE IS PROHIBITED!!!**

UPDATE YOUR LIST WITH THE  
CURRENT STAYS BY DIALING:  
**(302) 395 - STAY (7829)**

**STARTING WITH THE JANUARY 2006 SALE A \$5,000.00 CASHIERS CHECK WILL BE REQUIRED TO PARTICIPATE IN THE SHERIFF'S AUCTION**

TYPE	ATTORNEY	PLAINTIFF	WRIT	#	DEFENDANT	ADDRESS	CITY	ZIP CODE	PARCEL	ESTIMATED UPSET BID	LIST REF #
MTG.	AULGUR, R.	CHASE MANHATTAN MORTGAGE CORPORATION	2ND PLRS LEV FAC	12	ALLEN, JUNE K AND VINSON B	222 HILLVIEW AVE	NEW CASTLE	19720	10-010-20-535	\$68,000.00	1
JUDG.	PRO SE	RICARDO AND DIANA CARRASQUILLO	VEND EX	61	ALLISON, JAMES	621 NANTICOKE PLACE	BEAR	19701	10-033.10-440	\$7,000.00	2
MTG.	BARNETT, T.	EQUICREDIT CORPORATION	LEV FAC	33	ALPHONSO, RENE A AND KIMBERLY S.	2 STEPHANIE DRIVE	BEAR	19701	10-033.10-496	\$100,000.00	3
MTG.	WEAVER, J.	EASTERN SAVINGS BANK	1ST PLRS LEV FAC	53	AYRES-FOUNTAIN, CAROLINE P. JEFFREY CRAWFORD AND THE USA	1 GWYNEDD LANE	HOCKESSIN	19707	08-018.10-140	\$304,000.00	4
MTG.	BARNETT, T.	DEUTSCHE BANK NATIONAL TRUST COMPANY	LEV FAC	26	BAYLIS, NORMA C AND RUTH L MCCALL DRIVE	9 CASTLE HILL	NEW CASTLE	19720	10-015.30-169	\$160,000.00	5
MTG.	BARNETT, T.	RESIDENTIAL FUNDING CORPORATION	LEV FAC	70	BEATTIE, FRANK R AND LOUISE	108 W SAVANNAH DRIVE	BEAR	19701	11-032.00-114	\$285,000.00	6
MTG.	BARNETT, T.	DELAWARE STATE HOUSING AUTHORITY	LEV FAC	39	BELLINGER, WANDA M.	10 KAYAK COURT	NEWARK	19702	11-017.40-125	\$83,000.00	7
MTG.	AULGUR, R.	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	LEV FAC	51	BILISKI, CHARLES W AND JOYCE S.	106 FOX DRIVE	NEWARK	19713	09-029.10-406	\$246,000.00	8
MTG.	AULGUR, R.	CHASE HOME FINANCE LLC	LEV FAC	49	BOULWARE, KAREN L.	7 GLENWAY PLACE	WILMINGTON	19804	07-039.30-550	\$81,000.00	9

TERMS OF SALE:  
MORTGAGE AND JUDGMENT: 10% DOWN AT TIME OF SALE,  
BALANCE DUE ON OR BEFORE 9/4/08  
TAX: FULL PURCHASE PRICE AT TIME SALE

SALE DEPOSITS ARE NON-REFUNDABLE

PAGE 1  
CITY/COUNTY BLDG.  
800 N. FRENCH ST.

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